

March 1, 2004

Mr. Dave Lindskoog  
Vice President of Flight Operations  
ATA Airlines, Inc.  
P.O. Box 51609  
Indianapolis, IN 46251-0609

Dear Mr. Kolshak:

This is in response to your June 25, 2003, letter for ATA Airlines, Inc., in which you requested an exemption from § 121.333 of Title 14, Code of Federal Regulations. That exemption would allow a pilot to be alone on the flight deck without having to put on and use an oxygen mask when at or below FL 410 while conducting domestic, international, flag and supplemental operations on aircraft equipped with quick-donning oxygen masks.

We are pleased to inform you that because there have been several exemption requests similar to your petition, the Federal Aviation Administration (FAA) has started a rulemaking action. The FAA determined that these petitions raise an important aviation safety issue that is better handled through the rulemaking process rather than the exemption process.

Therefore, all of your supporting information presented in your petition will be a part of the rulemaking action and we will close your request for exemption in the docket.

If you have any questions you may call (202) 267-7625.

Sincerely,

/s/  
Ida M. Klepper  
Manager, Airmen and  
Airspace Rules Division